



Department of Energy

Environmental Management
Consolidated Business Center
250 East 5th Street, Suite 500
Cincinnati, Ohio 45202
(513) 246-0500

MAR 30 2011

EMCBC-00464-11

Dear Prospective Offerors:

FINAL REQUEST FOR PROPOSALS (RFP) NO. DE-SOL-0002446 FOR THE WASTE ISOLATION PILOT PLANT (WIPP) TRANSPORTATION SERVICES

This letter hereby serves as the official notice to prospective Offerors that the U.S. Department of Energy (DOE) is releasing Final RFP No. DE-SOL-0002446 for the WIPP Transportation Services procurement through its Environmental Management Consolidated Business Center (EMCBC). The RFP can be found on the EMCBC acquisition web site at <http://www.emcbc.doe.gov/WIPP/index.php>. Any questions pertaining to the Final RFP should be submitted in writing via the e-mail address at wipptransportation@emcbc.doe.gov by 5:00 p.m. Eastern Standard Time on Monday, May 2, 2011. The Government will post any amendments issued to the Final RFP, responses to questions (if required), and other official communications from the Contracting Officer to the EMCBC acquisition web site. Prospective Offerors are encouraged to conduct a thorough review of the Final RFP and to submit any questions pertaining to the Final RFP as early as possible, but no later than the date and time mentioned above to allow for adequate response time to all questions and comments submitted.

Background

On March 2, 2011, DOE issued RFP No. DE-SOL-0002446 in its draft form to facilitate interested parties' understanding of the Government's requirements, and to provide interested parties with the opportunity to submit comments and provide feedback pertaining to the Draft RFP. During the week of March 7, 2011, DOE held a pre-solicitation conference, site tours and one-on-one sessions with Industry. DOE carefully considered all comments received on the Draft RFP and made changes to the RFP that it believed were necessary. The Final RFP posted on the EMCBC acquisition web site is the result of these changes. The Final RFP was inadvertently posted by mistake on Thursday March 24, 2011. Offerors are instructed to disregard the March 24, 2011 posting in its entirety and adhere to the March 30, 2011 Final RFP posting for proposal preparation purposes.

This cover letter provides a summary level description of the notable changes that have been made to the draft RFP, however the Final RFP posted to the EMCBC acquisition website specifies all of the requirements for the WIPP Transportation Services procurement, and any information contained in this cover letter shall not be construed as being part of the Final RFP.

PROSPECTIVE OFFERORS SHALL PREPARE THEIR PROPOSALS BASED SOLELY ON THE REQUIREMENTS SPECIFIED IN THE FINAL RFP AND IN ANY ACCOMPANYING AMENDMENTS, IF ISSUED.

Notable Changes from the Draft RFP

A notable change made throughout the Final RFP document is that the Government anticipates there will be two awards resulting from this solicitation. Therefore the inclusion of 22 tractor teams as a Basic Transportation Services requirement throughout sections B, H, L and M was deleted in its entirety. In addition to general editing changes and other minor changes throughout the RFP, highlighted below are notable changes from the Draft RFP. In order to facilitate Industry review of all changes, an additional PDF file is posted with the final RFP release showing the tracked changes from the draft RFP document for information only. In the event of any inconsistency between the conformed RFP tracked changes PDF copy and the final RFP document, the final RFP document will control.

Section B:

In Clause B1.2, the Contract Line Item (CLIN) for the Base Period TRU Waste Transportation Services has been revised to reflect a 14 month performance period to allow for a 60 day contract transition. Additionally, a new separately priced line item for the contract transition has been added for inclusion in the total price for the base ordering period.

Section C:

General language regarding the Environmental Management Journey to Excellence was added to C.2 *Background*. Further detailed requirements regarding contract transition have been added at C.3.1.16 *Contract Transition* along with revised submission requirements for the contract Transition Plan and Exit Transition Plan deliverables at Section C.4.3. Additional language has been incorporated for Driver Qualifications at C.3.5.1.3 that pertains to driving hours of service when mileage records are not available. Clarifying language has been added at C.3.5.2.5 and C.3.5.2.6 regarding WIPP Operations annual maintenance and for the Contractor's responsibility to ensure driver training requirements are adequately met. The Government Furnished Property (GFP) Reporting Requirements at C.4.5 have been revised in their entirety to reflect the appropriate reporting requirements per Federal Acquisition Regulation (FAR) Part 45. Clarifying language has been added to cost-reimbursable item for fuel at C.5.1 to reflect reimbursement of tractor fuel expenses, inclusive of chemical such as diesel exhaust fluid (DEF) required by federal standards, as allowable expenses under the contract. Within Section C.6, *Applicable Statutory and Regulatory Requirements and Other Guidance*, dates were added to reflect the most current version of DOE documents that are included. The TRUPACT III Trailer Operations and Maintenance Manual, WP 08-PT.18 was deleted from the list since the document is still in draft form and has not been officially approved by DOE.

Section F:

The clause at F.1 has been revised to reflect a 60 day contract transition within the base ordering period now revised from 12 to 14 months. Option ordering periods remain unchanged at 12 months each. Additional language within F.2 *Exercise of Options* has been included to reflect

appropriate Government considerations prior to exercising an option in accordance with FAR Part 17.

Section G:

Clarifying instructions regarding frequency of voucher submissions have been included in Section G.2 *Billing Instruction* along with the newest link for the Contractor to obtain General Services Administration (GSA) standard forms including the Standard Form 1034 on which the Contractor shall submit invoices.

Section H:

The most notable change for this section is the revision to Clause H.1 *DEAR 952.215-70 Key Personnel*, to show that the Key Personnel requirement for the contract only includes a Project/Terminal Manager. The Safety Manager and Quality Assurance Manager are no longer determined to be Key Personnel positions under this contract. Clause H.16, *Employee Hiring Preference*, has been revised to show contractors are encouraged to give a hiring preference to qualified incumbent employees, but are not required. Within Clause H.18, *Safe Driving Bonuses and Incentive Compensation Programs*, equipment damage has been defined at greater than \$250.00 and a “grace period” stipulation has been added that allows for one incident of equipment damage greater than \$250.00 but no more than \$5,000.00, during the life of the contract for calculation purposes only of the Safe Driving Bonuses. The Section H clause entitled *Price-Anderson Amendments Act Noncompliance* was deleted from the final RFP.

Section I:

Various clauses have been added per FAR stipulation and/or updated to show the most current versions. Notably, FAR 52.222-42, *Statement of Equivalent Rates for Federal Hires*, has been added in full text per FAR stipulation and Service Contract Act compliance. Offerors should note the wage and fringe benefits included within this clause are for informational purposes only; offerors should propose prices based on the current industry competitive environment. FAR Clause 52.222-44 Fair Labor Standards Act and Service Contract Act-Price Adjustment (FEB 2002) was deleted from the final RFP.

Section J:

Attachment B, Reporting Requirements Checklist, was revised to reflect an applicable PWS/RFP reference column and an Approving Official column. Additionally several deliverables have been added per the final RFP requirements. These include, most notably, the Exit Transition Plan and the GFP reporting deliverables. The “Office of Environmental Management FY 2011 Performance Agreement with the Assistant Secretary” has been added as an attachment to this contract at Section J, Attachment D, as referenced in C.2 regarding the EM Journey to Excellence.

Section L:

Various minor revisions have been made to this section to provide clarification to prospective Offerors in the preparation of their proposals. Examples of these minor revisions include: in Provision L.1, Proposal Preparation Instructions – General, page printing is encouraged to be double-sided; in Provision L.2, Proposal Preparation Instructions – Volume I, Offer and Other Documents, the paragraph titled “Government Property” was deleted and various other paragraphs were modified or added to provide clarity and ensure all appropriate documentation submission requirements; in Provision L.3, Proposal Preparation Instructions – Volume II, Technical Proposal, the page count was increased to 30 pages for Evaluation Factor 1 – Technical and Management Approach; and clarification of the term “major or critical subcontractor” was provided within Evaluation Factor 2 – Relevant Company Experience. The most notable changes in this section pertain to the Provision L.3, Proposal Preparation Instructions – Volume II, Technical Proposal, Evaluation Factor 3 – Key Personnel, to reflect only one key position requirement for the Project/Terminal Manager. Within provision L.4, Proposal Preparation Instructions – Volume III, Price Proposal, under paragraph f. Responsibility Determination and Financial Capability, additional language was added to clarify that submission of proof of current MCEP audit certification may be submitted in lieu of the Attachment L-6 MCEP Audit Prescreening Forms and proof of liability coverage in accordance with 49 CFR 387 was also added as part of the submission requirements. Within provision L.16, Number of Awards, the language was edited to show the Government anticipates there will be two awards resulting from this solicitation. The L provision entitled “Pre-proposal Site Tours” was deleted, and FAR 52.232-14 Notice of Progress Payments was added in by reference within L. In addition, the L Attachment entitled “List of Key Personnel” was deleted, and a revised Attachment L-3, Experience and Past Performance Reference Information Form, has been incorporated into Section L.

Section M:

Within M.1, Introduction/Evaluation of Proposals, the language was edited to reflect the Government anticipates there will be two awards resulting from this solicitation. Within M.2, Basis for Contract Award, the language was also revised to show the Government anticipates there will be two awards resulting from this solicitation and revised language was inserted for determination of Best Value. Within M.3, Factor 3, Key Personnel, language has been modified to reflect evaluation of one key person for the Project/Terminal Manager. Also within M.3, Price Evaluation, language has been added that the Government’s responsibility and financial capability evaluation will include whether the Offeror has adequate minimum liability coverage per 49 CFR 387 and the Offeror’s most recent Department of Transportation Compliance and Security Reviews.

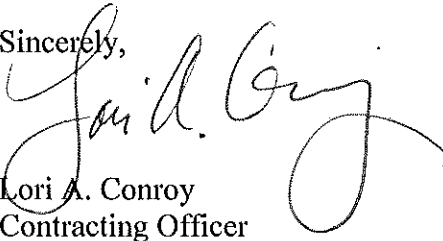
Notice:

In order to further the Government’s policy of maximizing electronic commerce, electronic media will be the primary method of communication regarding this procurement. The Final RFP, any amendments issued, responses to questions received from prospective Offerors, and other official communications from the Government will be posted on the EMCBC acquisition

web site. Prospective Offerors shall be responsible for reviewing this web site regularly for information, notices, and updates regarding the Final RFP.

The Government intends to answer any questions pertaining to the Final RFP as thoroughly and efficiently as possible, and we look forward to receiving your proposals in response to the Final RFP.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori A. Conroy". The signature is fluid and cursive, with a large loop at the end.

Lori A. Conroy
Contracting Officer

Enclosure: RFP DE-SOL-0002446